

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

REGINALD HERBIN,

Plaintiff,

-against-

NYC DOCS RIKERS ISLAND,

Defendant.

23-CV-7167 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

On August 11, 2023, the court's Clerk's Office received a submission from Reginald Herbin. (*See* ECF 1.) The Clerk's Office opened the submission as a new civil action and assigned a docket number. However, a review of the submission reveals that Herbin did not intend to file a new action in this court but rather he submits a copy of a document from his state court action that he wishes this Court to consider, in light of the pending class action concerning conditions at Rikers Island, that is currently before the Court. *See Nunez v. N.Y.C. Dep't of Corr.*, No. 11-CV-5845 (LTS). Herbin submits the copy of the state court document with the hope that it "could be helpful insight to the conditions that detainees/inmates are exposed to and experience" daily at Rikers Island. (ECF 1, at 1.)

Accordingly, the Court concludes that this action was opened in error and directs the Clerk of Court to close this case.

SO ORDERED.

Dated: August 28, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge